

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|---|---|----------------------|
| In re Continuation Reissue Application of: |) | |
| Reissue Application Ser. No. 09/558,462, |) | |
| Which Is Reissue of U.S. Pat. No. 5,764,622 |) | |
| |) | Group Art Unit: 2754 |
| Serial No.: Unknown |) | |
| |) | |
| Filed: Unknown |) | |
| |) | Examiner: D. OMETZ |
| Inventor: Ichiro KAWAMURA et al. |) | |
| |) | |
| For: RECORDING MEDIUM CARTRIDGE AND |) | |
| SIGNAL RECORDING APPARATUS |) | |

DECLARATION PURSUANT TO 37 C.F.R. § 1.175(a)

Hon. Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

We declare:

THE INVENTORS

1. That we, Ichiro Kawamura, Ryoichi Imanaka and Yoshikazu Goto reside at the addresses listed below, and declare that we are citizens of Japan; that we are employed by Matsushita Electric Industrial Co., Ltd. of Osaka Japan; that Matsushita is the Assignee of the entire interest of the above-identified patent; that at the time the application for the above-identified Patent was filed we were engaged in the design of recording mediums as described in United States Letters Patent No. 5,764,622 ("original patent"), that we do not know and do not

believe that the invention was ever known or used in the United States before our invention; and that we are the declarants, applicants and patentees, referred to hereinafter.

2. That we believe that we are the original, first and sole inventors of the subject matter of the invention, which is claimed and for which a reissue patent is sought in the above-identified reissue application.

3. That we, Ichiro Kawamura, Ryoichi Imanaka and Yoshikazu Goto, are joint inventors of the subject matter claimed in the original patent, as well as the subject matter set forth in the additional claims contained in the reissue application.

4. That we believe the original patent to be wholly or partly inoperative or invalid, by reason of our claiming less than we had a right to claim.

5. That we believe that the error regarding our narrow claiming of the invention arose inadvertently and without deceptive intent.

6. An initial reissue application was filed on April 24, 2000 and assigned Serial No. 09/558,462. A Notice of Allowance was issued in the initial reissue application on August 29, 2001.

7. Subsequent to the issuance of the Notice of Allowance in the initial reissue application, we have concluded that there are additional features of the present invention not covered by the initial reissue application that are worthy of claim coverage. The additional features are set forth in claims 6-14.

8. In accordance with 35 U.S.C. § 119, we claim the benefit of a foreign filing date on the basis of Japanese Patent Application Nos. 7-123420 and 8-122948, filed on May 23, 1995 and May 17, 1996, respectively. A certified copy of each priority document was filed in the

parent application that issued as U.S. Patent No. 5,764,622.

9. That we hereby state that we have reviewed and understand the contents of the above-identified reissue application, including the addition of newly added claims 6-14.

10. That we acknowledge the duty to disclose information of which we are aware which is material to the examination of the application for the above-identified reissue application in accordance with 37 C.F.R. § 1.56(a).

11. Every error in the patent which was corrected in the patent reissue application, and is not covered by a prior oath/declaration submitted in this application, arose without any deceptive intent.

We declare further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States

Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: December 12, 2001

Ichiro Kawamura: Ichiro Kawamura

Address: 13-20, 2-chome, Yamasaka,
Higashisumiyoshi-ku, Osaka-shi,
Osaka, 546-0035 Japan

Date: December 12, 2001

Ryoichi Imanaka: Ryoichi Imanaka

Address: 3-2-6, Kusuhamisaki, Hirakata-shi,
Osaka, 575-1112 Japan

Date: December 12, 2001

Yoshikazu Goto: Yoshikazu Goto

Address: 1-10-11, Nishikinya, Hirakata-shi,
Osaka, 575-1192 Japan

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ASSENT OF ASSIGNEE TO REISSUE

Hon. Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The undersigned, by authority vested in him by Matsushita Electric Industrial, Co., Ltd., assignee of the entire interest in the above-identified Letters Patent and pending Reissue Application Serial No. 09/558,462, the invention described therein, and in any reissue thereof by assignment recorded at Reel 8081, Frame 278, hereby assent: on behalf of the assignee to the accompanying reissue application.

I hereby declare that I have been empowered with the authority to consent to the above-identified reissue application and sign this document on behalf of Matsushita Electric Industrial, Co. LTD.

Date: December 12, 2001

Title: _____

Name: Hidemasa Kitagawa
~~General Manager IP Development Center~~

Signature: Authorized Signing Officer *H. Kitagawa*

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OFFER TO SURRENDER UNDER 37 C.F.R. § 1.178

Hon. Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The undersigned Applicants of the accompanying application for a continuation reissue application of U.S. Letters Patent No. 5,764,622 for "RECORDING MEDIUM CARTRIDGE AND SIGNAL RECORDING APPARATUS", granted on June 9, 1998, of which Matsushita Electric Industrial Co., Ltd. is now the sole owner by Assignment and, on whose behalf and with

whose assent the accompanying application is made, hereby confirm that the original letters patent was surrendered on February 6, 2001 in Reissue Application Serial No. 09/558,462.

Ichiro Kawamura Ichiro Kawamura Date: December 12, 2001

Ryoichi Imanaka Ryoichi Imanaka Date: December 12, 2001

Yoshikazu Goto Yoshikazu Goto Date: December 12, 2001